IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.20687 of 2008
SANTOSH KUMAR @ BILLI
Versus
STATE OF BIHAR
WITH
Cr.Misc. No.19474 of 2008
MANOJ KUMAR @ SETHI & ORS
Versus
THE STATE OF BIHAR
WITH
Cr.Misc. No.19298 of 2008
VICKY YADAV
Versus
THE STATE OF BIHAR

3/ 15.07.2008 Since the above three bail applications have arisen out of one Budha Colony P.S. Case No. 213 of 2007 they have been heard together and are being disposed of by this common order.

The case under Section 307 and some other Sections of Indian Penal Code was registered against eight named accused. Besides these petitioners Manoj Kumar Pandit, Rajesh Kumar and Sunil Kumar are sole accused.

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Allegation against the petitioners is that they have assaulted Imtiyaz on his head and body. After 12 days injured died so Section 302 was added.

Submission is that the allegations are generalized and it is not specific as to who cause assault which proved fatal. Further submission is that other accused persons Manoj Kumar Pandit, Rajesh Kumar and Sunil Kumar who had similar allegations have been granted bail. Petitioner Santosh Kumar @ Billi was granted anticipatory bail by the Sessions Judge in A.B.P. No. 92/2008 but later on Section 302 of the Indian Penal Code was added and then his anticipatory bail was rejected.

Considering the facts and circumstances of the case, the petitioners Santosh Kumar @ Billi (in Cr. Misc. No.20687 of 2008), Manoj Kumar @ Sethi, Suraj and Dharhi (in Cr. Misc. No. 19474 of 2008) and Vicky Yadav (in Cr. Misc. No. 19298 of 2008) are ordered to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Patna in connection with Budha Colony P.S. Case No. 213 of 2007.

kksinha/ **(Shyam Kishore Sharma, J.)**

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